

REMARKS

Summary of Office Action

Claims 2-13 are pending in this application.

The specification was objected to because the claims section of the specification does not begin with the phrase "I/We claim:" or similar language.

Figure 1 of the drawings was objected to for including hand-drawn elements.

Claims 2-13 were rejected under 35 U.S.C. § 102(b) for being anticipated by Strubbe et al. U.S. Patent No. 5,047,867 ("Strubbe") and by Ullrich et al. U.S. Patent No. 5,583,937 ("Ullrich").

Summary of Applicants' Response

Applicants believe that the language "What is claimed is" is proper according to MPEP 608.01(m). However, solely to expedite prosecution, applicants have amended the specification to include the phrase "We claim" in the claims section of the specification. Accordingly, the Examiner's objection to the specification should be withdrawn.

Applicants have submitted a replacement drawing sheet that includes a corrected Figure 1 in which all hand-drawn

elements have been converted into formal drawing elements. Accordingly, the Examiner's objection to the drawings should be withdrawn.

Applicants have amended all independent claims to more particularly define the invention. Specifically, applicants have amended independent claims 2 and 8 to specify that the selected television program listing that is selected by the viewer of a television program guide as well as the video clip that is displayed upon selection correspond to a program that is scheduled for future broadcast. Applicants respectfully submit that this amendment to independent claims 2 and 8 in the present application is fully supported, for example, in paragraph [0007] and paragraph [0016] of applicants' published specification.<sup>1</sup> Because neither Strubbe nor Ullrich teaches or suggests at least the above feature of applicants' claims, the Examiner's rejections of the claims should be withdrawn. Further remarks relating to the claim rejections follow.

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<sup>1</sup> Support for amended independent claims 2 and 8 may also be found on page 118, lines 27-30 and page 121, lines 14-21 of applicants' U.S. Patent Application No. 08/066,666 ("the '666 application"), from which the present application claims priority.

#### Applicants' Independent Claims

Applicants' amended independent claims 2 and 8 are directed towards a system and method for displaying a video clip for a television program upon viewer selection of a corresponding television program listing from a television program guide displayed on a display screen. A television program guide is displayed on the display screen, and a user can select a television program listing from the guide. A video clip is displayed on the display screen upon selection of the television program listing from the television program guide. The selected listing and displayed video clip correspond to a program that is scheduled for future broadcast.

#### The 35 U.S.C. § 102(b) Rejection Under Strubbe

Strubbe refers to an interface for a TV-VCR system that displays program description pages generated from information concerning a particular tape inserted in a VCR and "extended channels" in the form of menu pages (Strubbe, col. 4, lines 5-19). The program description pages may include a "frozen" PIP representation of a scene from a particular program which is encoded and stored with other information

describing the program (Strubbe, FIG. 6b, col. 5, ll. 32-37).

In order to watch a program from the tape, the user presses the "View" button on the remote control unit and the interface displays another screen indicating the amount of time until the start of the program (Strubbe, Fig. 10c, col. 7, line 64 through col. 8, line 3).

As for the extended channels displayed in the Strubbe interface, one such example is a Future Program extended channel which shows a menu page of the next, for example, 7 favorite and particular programs which are chronologically scheduled to be broadcast from the present time (Strubbe, FIG. 8a, col. 6, ll. 25-31). A detailed menu page for these programs may be displayed (Strubbe, FIG. 8b). Pressing the "Change B" button on the remote control unit at a detailed menu page for a program toggles between whether a reminder is desired for the program and which kind of audible/visual reminder is to be given. At the appointed time for the reminder, a PIP display may then show the opening, for example, 10 seconds of the program (Strubbe, col. 6, ll. 40-49).

Applicants respectfully submit that amended independent claims 2 and 8 of the present application are

allowable over Strubbe at least because Strubbe fails to show or suggest applicants' claimed feature of "displaying a video clip on the display screen upon selection of [a] television program listing from [a] television program guide, the video clip corresponding to [a] program that is scheduled for future broadcast." In particular, Strubbe does not show or suggest that a video clip for a program listed in the Future Program extended channel can be displayed upon selection from the Future Program extended channel. Instead, Strubbe shows that a visual reminder may be set for a future program. At the appointed time for the reminder, the PIP may show the opening portion of the broadcast program. This reminder message does not read on applicants' claims for at least 2 reasons: 1) it is not a video clip corresponding to a program that is scheduled for future broadcast; and 2) it is not displayed upon selection of the television program listing from the television program guide.

Strubbe's reminder message is not a video clip corresponding to a program that is scheduled for future broadcast. As detailed in Strubbe:

"the PIP display may be used to display various reminder messages. For example, at the start of

a Future Program if another program is being watched, the PIP may display the initial 10 seconds of the Future Program allowing the user to selectively switch to the program if desired by swapping the PIP and the main display" (Strubbe, col. 10, ll. 6-12).

From the foregoing, it is clear that Strubbe's interface displays a part of broadcast of a program for which a reminder is set using conventional PIP circuitry. Any such portion of broadcast programming is simply not a video clip corresponding to a program that is scheduled for future broadcast. Showing the initial or opening 10 seconds of a program as that program is being broadcast amounts to nothing more than displaying currently broadcast programming in a PIP window. This display is completely different from a video clip corresponding to a program that is scheduled for future broadcast, as required by applicants' claims.

Also, Strubbe's reminder message is not displayed upon selection of a television program listing from a television program guide. As described above, Strubbe's reminder message for a particular program is activated by pressing a "Channel B" button on the remote control unit after reaching a detailed menu page for the program. This sequence of events in no way resembles applicants' claimed feature:

According to Strubbe, in order to display the reminder, the user must press a particular button on the remote control unit after navigating away from the listings of Future Programs and not upon selection of a listing.

From the above, it is clear that Strubbe's reminder message does not show or suggest the features of applicants' amended independent claims 2 and 8. Applicants' respectfully submit that none of the other portions of Strubbe, including the cited "frozen" PIP representation of a scene from a particular program and extended channel listing programs on a particular tape, show or suggest applicants' claimed feature of displaying a video clip upon selection of a listing from a guide, the video clip corresponding to a program that is scheduled for future broadcast. For at least these reasons, applicants' amended independent claims 2 and 8, are allowable over Strubbe. Claims 3-7 and 9-13 depend from independent claims 2 and 8. Therefore, claims 3-7 and 9-13 are allowable over Strubbe for at least the reasons that independent claims 2 and 8 are allowable over Strubbe.

The 35 U.S.C. § 102(b) Rejection Under Ullrich

Ullrich refers to a system that uses a plurality of video program players to broadcast pre-recorded or live programming to users over a corresponding plurality of television channels (Ullrich, col. 3, ll. 43-49, col. 3, l. 66 to col. 4, l. 5 and FIG. 2). The Ullrich system also includes promotional video players that provide a promotional channel over which program previews are continuously broadcast and displayed to users in an order defined by a master scheduling computer (i.e., the order in which the program previews are displayed is not controlled by the user) (Ullrich, col. 3, ll. 15-23, col. 4, l. 51 to col. 5, l. 3 and FIG. 2). When any one or more of the video program players are not providing the pre-recorded or live programming (e.g., the one or more video program players are rewinding their respective pre-recorded video programming), the program previews from the promotional channel can also be broadcast and displayed on the television channels corresponding to the one or more video program players (Ullrich, col. 5, ll. 25-30). The Ullrich system also refers to using character generator 22 to provide a text menu representing a program schedule to users via cable headend 12 (Ullrich, col. 5, ll. 4-13).



As argued in applicants' preliminary amendment of July 16, 2004, amended independent claims 2 and 8 of the present application are allowable over Ullrich because: 1) Ullrich fails to show or suggest applicants' claimed feature of "allowing a viewer to select a television program listing from . . . [a] television program guide [displayed on a display]" and 2) Ullrich fails to show or suggest applicants' claimed feature of "displaying a video clip . . . upon selection of the television program listing from the television program guide" (emphasis added).

In the Office Action, the Examiner maintains that col. 6, ll. 23-30 show or suggest these features of applicants' claims. These portions of Ullrich show an "impulse pay-per-view" ordering system in which "a subscriber may view a preview or beginning of a program and instantly, on impulse, order the program for viewing at his or her premises." Nothing in this portion of Ullrich shows or suggests "displaying a video clip . . . upon selection of the television program listing from the television program guide" as there is nothing resembling a television program listing or television program guide referred to in the passage. Further, nothing in the passage shows or

suggests that a video clip is displayed upon selection of a television program listing. The user may order a program "from a choice of different programs which start at various times" (Ullrich, col 6, ll. 26-28). Thus, while the user may immediately order the program for viewing, Ullrich is silent on exactly when and how the ordered program is displayed. Accordingly, Ullrich does not show or suggest "displaying a video clip . . . upon selection of the television program listing from the television program guide" as required by applicants' amended independent claims 2 and 8.

For at least these reasons, applicants' amended independent claims 2 and 8, are allowable over Ullrich. Claims 3-7 and 9-13 depend from independent claims 2 and 8. Therefore, claims 3-7 and 9-13 are allowable over Ullrich for at least the reasons that independent claims 2 and 8 are allowable over Ullrich

#### Conclusion

For at least the foregoing reasons, applicant respectfully submits that the objections and rejections of the

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Reply to Office Action of October 4, 2007

specification, drawings, and claims have been overcome.

Accordingly, this application is in condition for allowance.

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Prompt reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,  
/Matthew S. Bertenthal/

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